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Yoshifumi Tanimoto

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26021

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11/04/2005

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EXAMINER

BAKER, CHARLOTTE M

ART UNIT

PAPER NUMBER

2626

DATE MAILED: 11/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/045,897

Applicant(s)

TANIMOTO, YOSHIFUMI

Examiner

Charlotte M. Baker

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 01/10/2002.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

Ym

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Claim Objections*

2. Claim 7 is objected to because of the following informalities: replace “severs” with --servers--. Appropriate correction is required.
3. Claim 16 is objected to because of the following informalities: replace “deciding which the plurality” to --deciding which of the plurality--. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-8 and 12-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Tanaka (6,564,256).

**Regarding claim 1:** Tanaka discloses communicating means (Fig. 1, relay server P1) for communicating with a plurality of network devices (Fig. 1, terminal T1-Tn) and a different relay server (Fig. 1, relay server P2); and connection information holding means (Fig. 1, cache C1) for holding connection information (col. 5, ln. 52-55) of the plurality of network devices (Fig. 1, terminal T1-Tn) capable of communicating by the communication means (Fig. 1, relay server

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P1); wherein the communicating means (Fig. 1, relay server P1) refers to the connection information (col. 5, ln. 52-55) based on a connection demand (col. 5, ln. 47-55) from one of the plurality of network devices (Fig. 1, terminal T1-Tn), and relays communication to another one of the plurality of network devices (Fig. 1, terminal T1-Tn) via the different relay server (Fig. 1, relay server P2).

**Regarding claim 2:** Tanaka satisfies all the elements of claim 1. Tanaka further discloses wherein the communicating means (Fig. 1, relay server P1) receives the connection information (col. 5, ln. 52-55) the different relay server (Fig. 1, relay server P2) holds and stores connection information (col. 5, ln. 52-55) in the connection information holding means (Fig. 1, cache C2).

**Regarding claim 3:** Tanaka discloses a plurality of network devices (Fig. 1, terminal T1-Tn); and a plurality of relay servers (Fig. 1, relay server P1 and P2) connected to the plurality of network devices (Fig. 1, terminal T1-Tn) by a network, wherein one of the plurality of network devices (Fig. 1, terminal T1-Tn) establishes a communication path with one of the plurality of relay servers (Fig. 1, relay server P1 and P2) and carries out communication by performing a connection demand (col. 5, ln. 47-55) with another one of the plurality of network devices (Fig. 1, terminal T1-Tn), and the one relay server (Fig. 1, relay server P1) relays the communication with the other network device (Fig. 1, terminal T1-Tn) via at least one other relay server (Fig. 1, relay server P2) of the plurality of relay servers (Fig. 1, relay server P1 and P2) based on the connection demand (col. 5, ln. 47-55) from the one network device (Fig. 1, terminal T1-Tn) (col. 6, ln. 19-37).

**Regarding claim 4:** Tanaka satisfies all the elements of claim 1. Tanaka further discloses wherein each of the plurality of relay servers (Fig. 1, relay server P1 and P2) obtains connection

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information of each of the plurality of network devices (Fig. 1, terminal T1-Tn), each of the plurality of network devices (Fig. 1, terminal T1-Tn) is connected to and capable of communicating with each of the plurality of relay servers (Fig. 1, relay server P1 and P2) (col. 5, ln. 57-60), and each of the plurality of relay servers (Fig. 1, relay server P1 and P2) decides which relay server is relayed (col. 6, ln. 49-56).

**Regarding claim 5:** Tanaka discloses communicating means (Fig. 1, relay server P1) for communicating with a plurality of network devices (Fig. 1, terminal T1-Tn) and a different relay server (Fig. 1, relay server P2); and connection information holding means (Fig. 1, cache C1) for holding connection information (col. 5, ln. 52-55) of the network devices (Fig. 1, terminal T1-Tn) which are capable of communicating, wherein the communicating means (Fig. 1, relay server P1) renews the connection information based on a demand from one of the plurality of network devices (Fig. 1, terminal T1-Tn), and notifies the renewed connection information to the different relay server (Fig. 1, relay server P2) based on renewal of the connection information (col. 5, ln. 52-55) (col. 6, ln. 49-56).

**Regarding claim 6:** Tanaka discloses communicating means (Fig. 1, relay server P1) for communicating with a plurality of network devices (Fig. 1, terminal T1-Tn) and a different relay server (Fig. 1, relay server P2); and connection information holding means (Fig. 1, cache C1) for holding connection information (col. 5, ln. 52-55) of the plurality of network devices (Fig. 1, terminal T1-Tn) which are capable of communicating, wherein the communicating means (Fig. 1, relay server P1) renews the connection information (col. 5, ln. 52-55) within the connection information holding means (Fig. 1, cache C1) based on renewal notification of connection

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information from the different relay server (Fig. 1, relay server P2) (col. 5, ln. 52-55) (col. 6, ln. 49-56).

**Regarding claim 7:** Tanaka discloses a plurality of network devices (Fig. 1, terminal T1-Tn); and a plurality of relay servers (Fig. 1, relay server P1 and P2) connected to the plurality of network devices (Fig. 1, terminal T1-Tn) by a network, wherein one of the plurality of network devices (Fig. 1, terminal T1-Tn) establishes a communication path with one of the plurality of relay servers (Fig. 1, relay server P1 and P2) and carries out communication by performing a connection demand (col. 5, ln. 47-55) with another one of the plurality of network devices (Fig. 1, terminal T1-Tn), and the one relay server (Fig. 1, relay server P1) holds connection information (col. 5, ln. 52-55) of the plurality of network devices (Fig. 1, terminal T1-Tn) which are capable of communicating, renews the connection information (col. 5, ln. 52-55) based on the connection demand (col. 5, ln. 47-55), notifies the renewed connection information to different relay servers (Fig. 1, relay server P1 and P2), and renews the connection information based on renewal notification of connection information transmitted from the different relay servers (Fig. 1, relay server P1 and P2) (col. 5, ln. 52-55) (col. 6, ln. 49-56).

**Regarding claim 8:** Tanaka discloses a plurality of network devices (Fig. 1, terminal T1-Tn); and a plurality of relay servers (Fig. 1, relay server P1 and P2) connected to the plurality of network devices (Fig. 1, terminal T1-Tn) by a network, a data base server (Fig. 1, data base 2) for holding connection information of the plurality of network devices (Fig. 1, terminal T1-Tn) and providing the connection information to the plurality of relay servers (Fig. 1, relay server P1 and P2), wherein one of the plurality of network devices (Fig. 1, terminal T1-Tn) establishes a communication path with one of the plurality of relay servers Fig. 1, relay server P1 and P2), and

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carries out communication by performing a connection demand (col. 5, ln. 47-55) with another one of the plurality of network devices (Fig. 1, terminal T1-Tn), and wherein the one relay server (Fig. 1, relay server P1) renews the connection information based on the connection demand (col. 5, ln. 47-55) from the one network device (Fig. 1, terminal T1-Tn), the one relay server (Fig. 1, relay server P1) causes the data base server (Fig. 1, data base 2) to hold the renewed connection information (col. 5, ln. 52-55) (col. 6, ln. 49-56).

**Regarding claim 12:** The structural elements of apparatus claim 3 perform all of the steps of method claim 12. Thus, claim 12 is rejected for the same reasons discussed in the rejection of claim 3.

**Regarding claim 13:** Tanaka satisfies all the elements of claim 12. The structural elements of apparatus claim 4 perform all of the steps of method claim 13. Thus, claim 13 is rejected for the same reasons discussed in the rejection of claim 4.

**Regarding claim 14:** Tanaka satisfies all the elements of claim 12. The structural elements of apparatus claim 5 perform all of the steps of method claim 14. Thus, claim 14 is rejected for the same reasons discussed in the rejection of claim 5.

**Regarding claim 15:** Tanaka satisfies all the elements of claim 15. The structural elements of apparatus claim 7 perform all of the steps of method claim 15. Thus, claim 15 is rejected for the same reasons discussed in the rejection of claim 7.

**Regarding claim 16:** Tanaka satisfies all the elements of claim 15. Tanaka further discloses obtaining the connection information (col. 5, ln. 52-55) of the plurality of network devices (Fig. 1, terminal T1-Tn) established with the communication path to the another relay server (Fig. 1,

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relay server P2), and deciding which of the plurality of relay servers (Fig. 1, relay server P1 and P2) to relay.

**Regarding claim 17:** Tanaka satisfies all the elements of claim 15. The structural elements of apparatus claim 6 perform all of the steps of method claim 17. Thus, claim 17 is rejected for the same reasons discussed in the rejection of claim 6.

**Regarding claim 18:** Arguments analogous to those stated in the rejection of claim 1 are applicable.

**Regarding claim 19:** Arguments analogous to those stated in the rejection of claim 2 are applicable.

**Regarding claim 20:** Arguments analogous to those stated in the rejection of claim 4 are applicable.

6. Claims 9-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Joffe et al. (6,801,341).

**Regarding claim 9:** Joffe et al. disclose a facsimile machine (Fig. 2, Fax 32) connected to an inner network (Fig. 2, PSTN 36); a gateway device (Fig. 2, AS 40) for connecting the inner network (Fig. 2, PSTN 36) to an outer network (Fig. 2, IP network 46); and a plurality of relay servers (Fig. 2, fax relay server 50 and mail server 74) connected to the outer network (Fig. 2, IP network 46), wherein the facsimile machine (Fig. 2, Fax 32) makes connection to one of the plurality of relay servers (Fig. 2, fax relay server 50 and mail server 74) in advance via the gateway device (Fig. 2, AS 40), and then transmits or receives an image (col. 4, ln. 24-28), and the one relay server (Fig. 2, fax relay server 50) relays communication of the image between the gateway device (Fig. 2, AS 40) and another gateway device (Fig. 2, AS 62) by carrying out the



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communication with one or a plurality of the gateway devices (Fig. 2, AS 40, 56, 62) and one or a plurality of different relay servers (Fig. 2, fax relay server 50 and mail server 74) (col. 5, ln. 6-10).

**Regarding claim 10:** Joffe et al. satisfy all the elements of claim 9. Joffe et al. further disclose wherein the one relay server (Fig. 2, fax relay server 50) manages the facsimile machine (Fig. 2, Fax 32) to be connected thereto in accordance with identifying information specific to the facsimile machine (Fig. 2, Fax 32) (col. 5, ln. 48-61).

**Regarding claim 11:** Joffe et al. satisfy all the elements of claim 9. Joffe et al. further disclose wherein a plurality of facsimile machines (Fig. 2, fax 32 and fax 70) within the inner network (Fig. 2, PSTN 36) and another inner network (Fig. 2, PSTN 66) can be connected to the one relay server (Fig. 2, fax relay server 50) via the gateway device (Fig. 2, AS 40) and the another gateway device (Fig. 2, AS 62), and the one relay server (Fig. 2, fax relay server 50) manages each of the plurality of facsimile machines (Fig. 2, fax 32 and fax 70) to be connected thereto in accordance with identifying information specific to each of the plurality of facsimile machines (Fig. 2, fax 32 and fax 70) (col. 5, ln. 11-18).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charlotte M. Baker whose telephone number is 571-272-7459. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on 571-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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